Kentucky Gazette.

THREE DOLLARS PER ANNUM, True to his charge—he comes, the Herald of a noisy world; News from all nations, lumb'ring at his back." IN ADVANCE

NEW SERIES—No 23.—VOL 2. LEXINGTON, KY. FRIDAY EVENING JULY 15, 1825. VOL. XXXIX

Political.

FROM THE ARGUS OF WESTERN AMERICA.

LAST APPEAL!!!

JEFFERSON TO THE PEOPLE OF KENTUCKY.

FELLOW-CITIZENS:

All you who are willing to be slaves say, AYE!!!!

The question of legislative right and judicial power has assumed an attitude more portentous than ever. The usurpations of Judges become daily more interesting and more alarming. Assuming the principle that the remedial laws in existence when contracts are made, constitute their obligation, our former Court of Appeals decided, that the legislative power of Kentucky cannot relieve our citizens by delaying the collection of debts in any case whatsoever thus making void by their fiat, laws which had been enacted by the representatives of the people and immemorially sanctioned by judicial authority and even by themselves, and in pursuance of the same principle they revived repealed laws and applied them to causes in litigation before them. This power of annulling and reviving laws approached so near direct legislative power, it was predicted that if they were suffered to proceed, we should soon witness *post liee* and *ex post facto legislation*. At the time the decision was given, a considerable majority of the Legislature was in favor of checking usurpation in the bud by removing the Judges from office; but as there was not sufficient strength to remove them by address, the majority made an appeal to the people that they might determine whether they would resist or submit to the new powers assumed by that department of their government. By an increased majority, the people decided in favor of resistence; yet the judges cling to their seats and determined to force their new principles upon an unwilling country. On an attempt to remove them by address, they denied the right of the legislature to remove them in any manner for error of opinion, and declared they would persist in holding and exercising judicial power to the last extremity,

The right of the people through their representatives to correct the errors and aberations of their government being thus denied and denied no mode of dealing with the irobstinate functionaries was left, but a direct exercise of power, and the legislature cast about them to learn in what manner it might be most effectually exerted. By a fair construction of the constitutions of Kentucky and of the United States; by the language employed both by Congress and our Legislature to denominate the acts organizing the two Supreme Courts; by the declaration of the Judges of the Supreme Court of the U. States that their Court was created by act of Congress; by analogy with the constitutions and laws of other states; by the precedent set and the language used by the democratic party in Congress when legislating out the sixteen federal judges in 1801-2 by frequent removals of judges in our own state by the abolition of courts; and especially by the republican principle of responsibility and obedience to the public will in all the functionaries of government; it appeared that the Court of Appeals was established and created by acts of the Legislature and might be overturned and destroyed by a repeal of those acts. Through this avenue, therefore, it was determined, that the old Judges should feel the power of the people and our judicial system be purged from the errors which had corrupted its very head. Accordingly all acts of assembly establishing, organizing and modifying the Court of Appeals were repealed; the old Judges removed by the destruction of their offices; and a new Court organized with a variety of improvements in the system and filled with judges whose known opinions coincide with those of the people and who are united with the legislative and executive power in opposing the encroachments of the federal Judges.

All the departments of our government were now about to move on in obedience to the will and in support of the rights of the people, and harmony was about to be restored to a distracted country. But lo, the demon of faction raises his frightful head and shakes his grizzy beard. A humble aristocracy, supported by banks, lawyers mercenaries and monied men, determined on one more effort to conquer the people and grasp the reins of government. Shouts of *"reconcile"* resound through the state, and the old Judges and their partizans raise the cry of *"constitution violated"* with the hope of alarming the country into submission to their domination. Meeting succeeded meeting, and such was the noise and clamour raised by our hypocritical Cromwells and Caesars, that the people of other states began to think the citizens of Kentucky were about to crucify their faithful representatives.

At this crisis, the question as to the constitutionality of our replevin laws was before the Supreme court of the United States to hold this subject had been agitated before the Circuit Court for the district of Kentucky and both Judges, Todd and Trimble, decided them to be constitutional. But cotemporaneously with the decisions of our Courts resisting against the power of the people the subject was again agitated in that tribunal, and Trimble had gone over to the enemy. Todd, however, maintained his integrity and the Court being thus divided the question was carried up to the Supreme Court of the United States. That colossal power seems to have deemed this a fit opportunity to take another fearful stride in the march of usurpation and consolidation. The dio raised by the Court Party here; the reports of public meetings in which the Legislature was denounced with bitter vengeance; every sound that was wafted on the western breezo and the zealous echoes of some of the Kentucky delegation in Congress, inspired that tribunal with the firm conviction that those who supported the cause of the people were sinking beneath a resistless flood of public indignation, and that now was the time to rivet the fetters which they had prepared for free Kentuckians, and ultimately for their fellow citizens in other states. The mandate, therefore, went forth. They did not even deign to say in aid of their Kentucky coadjutors, that replevin laws were unconstitutional; but they at once declared, that none of the state execution laws are obligatory on the federal courts and directed their inferior tribunals to form codes of their own, paying no more regard to state laws than they might think proper.

This decision is founded on a plain perversion of the language and evident intent of Congress, violates one of the fundamental principles of the constitution, and is an outrage on free representative government. By the 34th section of the Judiciary act passed by Congress in 1789, it was provided, that "the laws of the several states except where the constitution, treaties or statutes of the United States shall otherwise require or provide, shall be regarded as rules of decision in trials at common law in the Courts of the United States in cases where they apply." Another act passed at the same session, adopted "the forms of writs and executions except their style and mode of process &c. in suits at common law now used in the supreme court of each state, &c. These acts were repealed in 1792, and another act passed, providing that in the federal courts, "the forms of writs, executions, and other process, except their style, and the forms and modes of proceeding in suits" should be the same in each state as used in the Supreme Court of that state in all common law suits, "*subject however to such alterations and additions as the said courts shall, in their discretion, deem expedient, or to such regulations as the Supreme Courts of the United states shall think proper from time to time, by rule, to prescribe to any district or Circuit Court.* PROVIDED, *that on judgments in any of the cases aforesaid, where different kinds of execution are issuable, in succession, a special satisfaction being one, the plaintiff shall have his election to take out a ca. sa. in the first instance.*"

The obvious intent of Congress in all these enactments was, that the federal courts in all their proceedings, should observe the *forms* of writs and the *manner* of proceeding in suits, used in the Supreme Court of each state, except that either the inferior or supreme court might change the *form* and *manner* whenever they might deem it expedient. But was it ever imagined, that under the expression "*modes of proceeding in suits*" was conferred on the Courts the power to pass execution laws, to subject property to execution not subjected by state laws, to disregard and overturn the whole policy of the states in relation to the tenures both of personal and real property! *No*: Congress did not intend to transfer such a power to the Courts, and they could not have effected it, if they had. The constitution declares, that "*the legislative powers of the United States shall be vested in a Congress*," and it impossible that Congress can transfer that power to the Judges. As well might they transfer it to the President, and dissolving themselves, change the government of the United States at once into an absolute monarchy. It is therefore apparent, that Congress did not, and could not transfer the power of passing execution laws to the Courts, and only intended to direct them in the forms of their proceedings, to observe the rules which prevailed in the state courts, or to alter them at pleasure. Nothing of *substance* was intended. But the Supreme Court have construed *form* into *substance*, and determined that the federal courts may not only alter the *forms* and *modes of proceedings*; but under color of this power, disregard the state laws subjecting property to execution or exempting it, and provided codes of their own, wholly variant from and repugnant to the policy of the states on these essential points. They have not, in pursuance of this principle, deigned to give us a code of Rules or Laws, coextensive with their jurisdiction and applicable to proceedings in all the District and Circuit courts throughout the Union; but they have left it to the inferior courts to pass the laws which they may think expedient in their respective districts. In obedience to this high authority, the circuit and district Judges in the Kentucky district, have compiled their code for the regulation of the people of this state, which is as follows: [*The 'RULES' have already been published in the Argus.*]

In this code the Judges have adopted generally what has been the law of Kentucky, making marginal references to the several statutes, as if with a design to cover the enormity of the power exercised by them. But it is evident, that these 'Rules' derive their whole binding force, if any they have, from their adoption by the Judges, and not from any enactment of the state Legislature from which parts of them are copied and are just as much an act of direct legislation as if the Judges had placed "*be it enacted*" at the commencement and used original phrases and new provisions in every rule.

In the first section of this judicial code, our new legislators revive imprisonment for debt, which the representatives of the people had declared should be forever abolished within the limits of Kentucky. *Women* as well as men are subjected to this barbarous law, and they have the presumption to direct their confinement in Kentucky jails, as if this state is to be made the instrument of her own degradation! The provision relative to the person bounds in the 5th Rule, is wholly equivocal. If it refer to the bounds as established by the laws of the state existing in 1792, which only, says the Supreme Court, were adopted by the act of Congress, then the bounds are but ten acres. If it refer to the bounds established by our last act of Assembly, then the Judges have adopted a law which was not adopted by the act of Congress, and have thus directly exercised legislative power. The adoption by the judges of that which was not binding without such adoption is as much an act of legislation as would be the adoption of a statute of Ohio by the Legislature of Kentucky. But these 'Rules' not only revive imprisonment for debt against men and women in defiance of the policy of the state, but they add to its oppression and injustice as formerly practised under state laws. The 3d and 4th rules authorize the Marshal to release the prisoner from custody on his "tendering to the marshal, lands, slaves or personal property to the value of the debt, damages and costs," but "if estate to the value of the debt damages and costs," be not tendered, then the debtor is to be delivered to the jailer &c. To deliver up all the debtor has, is of no avail; unless he deliver up enough to pay the demand, to jail he must go, and there is no provision in this iron code which authorizes him, at any subsequent day, to deliver up all he has and thus procure the release of his body. The most barbarous state code I have seen, authorized the release of the debtor after he had surrendered his whole property, and such, all will remember, was the law of Kentucky. This was surely right and politic; for what more could justice exact than all a man has, and surely he cannot accumulate the means of paying debts or even supporting himself and family within the walls of a prison. The code does not inform us who is to support him in this State driving death; but suppose it be the creditor, men may be found who would pay a few cents per day to keep their personal enemy, or those whom envy hate, either for their virtues or vices, in perpetual confinement. Is it right thus to place the liberty of a freeman within the grasp of a relentless creditor! Ought one republican to have power to keep another in perpetual confinement because he has had the indiscretion or the misfortune to contract a debt which he cannot pay; or if he permit him to go at large, to hold over him the rod of the tyrant and make him feel at every step and in every act, that his liberty is at the mercy of a fellow citizen! In ancient Rome, the debtor who was unable to pay his debt, might be sold for its amount, and became for a time the slave of the purchaser. This was more politic and more humane than the system prescribed in this new judicial code. It was more politic, because when the debtor had served out his time, the debt was forever discharged, whereas during all a century's imprisonment the debt will not accumulate. It was more humane, to cause existence in the light of the sun fanned by the pure air of Heaven with power to move and act, is preferable under almost any master, to the gloomy, damp and narrow walls of a prison. And why may not these Judges, by the same power in virtue of which they order us to prison for debt, order us to be sold! Why may they not as well dispose of our liberty to a purchaser who will pay our debt as to a marshal or jailer who will pay nothing for it! Surely they may sell as well as imprison us, and it would not be very wonderful were we soon to see free Kentuckians set up and sold, by the marshal like very negroes! Nor would it be a greater outrage than dragging them to jail for debt, except that the latter has once been tolerated!

It should not be forgot, that so far as this code makes imprisonment for debt perpetual, it does not find a precedent or apology in any state law which existed in 1792 or at any subsequent day. This is a feature entirely original, to which the people of Kentucky have never been subjected by their own consent or that of their representatives, and is the fruit of that tremendous power over the persons of free citizens which the Judges have dared to assume in defiance of every principle of free government.

The former Judges of our Court of Appeals, declared that all retrospective replevin laws were unconstitutional, and Judge Trimble of the federal court, pronounced the same sentence on all replevin laws whatsoever. Yet this judicial code in its 5th Rule, contains a retrospective replevin law, drawn and assented to by the same judge Trimble! From the Judges of the federal Court, some time since, decided that a sale on credit as allowed by the statutes of Kentucky, was unconstitutional; yet this judicial code in its 6th Rule, allows a credit sale of three months, which is adopted and assented to by the same two Judges! The ground of all these decisions was, that replevins and credit sales "impair the obligation of contracts," and that all state laws allowing them, are therefore unconstitutional and void. Yet these two judges take it upon themselves to "impair the obligation of contracts" without ceremony, and by their adoption, to make a void act of assembly valid and binding! Is not this legislation with vengence! They first declare a state law unconstitutional and void; they then turn round, pick up this void law, adopt it into their 'Rules and thus make it constitutional and binding'! This exceeds the power of annulling and reviving state laws; it surpasses the power of making ex post facto laws; it is taking that which fell dead from the hands of the people's representatives and breathing life into it! Yes, they raise the dead, they give life to that which was born dead, their power exceeds that of the mighty creator; they animate that to which he can give neither life nor motion! Is not this a mockery on the people's power to pass laws by their representatives! Shall the Judges tell them, that replevin laws and credit sales are void, when authorized by the duly enacted laws of the land, but may be made valid by their fiat! Dare they assume legislative powers which they deny to the people! Yes, they dare it. Here is the first fruits of their presumption, and if the people be true to themselves, it will be the last.

It is well known, that when this code was first prepared, it allowed a replevin and a credit sale of twelve months. Whether that looked too much like judicial relief, or whether it placed judicial legislation in too glaring a light, or whether the agents and lawyers of the Banks interposed, I know not; but it so happened, that before the bill passed, the replevin and credit sale were reduced to three months. But the same power which could make it twelve months or three, could make it one or a million, and a power which has been declared unsafe in the hands of the people's representatives, is now found to reside in all its plenitude in the breast of the Judges!

It is thus, that the judicial usurpers, state and national, set all consistency at defiance, and relying on their talents and power, are determined to force on the country, their very contradictions as truths sacred as those of revelation. Let any man read this judicial code, and then ask himself in sober earnestness, what becomes of all the lawyers clamor about the sacredness of the obligation of contracts and even of the theory itself on which our former appellate judges based their decision! This sacred obligation is not only impaired but destroyed by the federal Judges, according to their own decision, while it would puzzle a Solomon to tell what is now the obligation of numerous contracts according to the decisions of our former judges. They told us, the obligation was the remedial law in existence when the contracts were made. The federal judges pay no regard to those laws but change the remedy and consequently the obligation at their pleasure. And what is the obligation of a contract made now, upon which the creditor may sue either in the federal or state courts! Is it the state laws or this judicial code! Or has it two obligations, a *federal* and a *state* obligation, either of which the creditor may enforce at his pleasure! And is the *state* obligation *unchangeable*, while the *federal* obligation may be impaired or destroyed according to the whims and caprices of two judges! These absurdities prove the baseless nature of the whole system of judicial usurpation with which Kentucky has been harrassed, and would seem sufficient to prevent further strides. But determined usurpers, backed by power, never stop to explain inconsistences or avoid absurdities. The right of the states and the people to make laws for their own government, is to be trampled in the dust, and all our arguments, though *clear as sunshine* and *convincing as a voice from Heaven* are to be answered by *a tap from the marshal ordering us to jail*. Cæsar did not stop to reason with the Roman Senate, because he had devoted legions at his heels; Cromwell found a pliant army the most effectual answer to all the remonstrances of his parliament; and Bonaparte silenced all the eloquence of the French legislative assembly by the glitter of bayonets. Where there is power and a determination to use it, we seldom find much regard paid to reason or consistency.

But this code contains, if possible, a broader and more alarming instance of direct legislation. The act of Congress adopting the state laws as the execution laws of the federal courts, was passed on the 8th day of May 1792. This act says the Supreme Court, only adopt such the state laws *then in existence*. The act of Kentucky subjecting lands to sale under execution was passed Dec. 17th 1792: Of course, this act of Kentucky subjecting lands to execution, was not adopted by Congress, and was not obligatory on the federal courts. Nor has there been, from that day to this, any act of Congress or any act of our General Assembly, which, according to the principles of the Supreme Court, authorized the marshall to sell the lands of Kentucky by virtue of any process from the federal courts. Yet this judicial code provides, that land shall be sold under execution by the marshal. This instance of notorious and glaring legislation is attempted to be covered by adopting some of the early statutes of Kentucky subjecting lands to sale, as the Rules of proceeding for their Marshal; but this veil is again rent asunder and the usurpation presented in its native deformity, by a failure to adopt all the state statutes subjecting lands to valuation &c. They take such of the state laws and reject such as they please, thereby proving that they derive their binding force from their being adopted by the Judges and not from their character as laws of Kentucky. Lands are, therefore, subject to sale by the marshal in this state, only *by order of two federal judges*. If they can subject lands here by their power in defiance of our valuation laws, they may, by the same right, overturn the permanent policy of Virginia or any other state, by prostituting that their lands shall be sold under execution for what they will bring. What would Virginia, where lands are not subject to sale for debt at all, or Massachusetts where lands are valued and delivered over to the creditor at the appraisement, say the government of the nation, were they to see the policy by which they have been governed for centuries, overturned in one day, by an order of two judges! Would they not hurl the usurping law-makers from their judicial throne, or shake this union to its centre! Would they see the foundations of their permanent policy upturned without their approbation or consent, and sit down quietly under such a system as *despotism* in the plenitude of its power, might choose to prescribe to them, in lieu of the laws enacted by the people!

It may well be doubted, whether Congress itself has power, by any system of execution laws, to overturn and destroy the systems of the states, whether they have grown out of recent events or been consolidated by the practice of ages. Sure it is, that it is a subject which Congress *never dared to touch*. The representatives of the people in Congress never dared to direct the imprisonment of debtors contrary to the laws enacted by the representatives of the people in the state legislatures; they have never dared to order the lands of Virginia, Massachusetts and Ohio to be sold for what they will bring and without appraisment, or to interfere with the systems of execution laws of the several states. But what was *never dared* and *never will be* by the legislative power of the Union, which *only* can possess the right in it exist at all, is *dared* by the judicial power, and the systems of the states are to be made the sport of men's caprices who acknowledged no responsibility to the people! It is time to think of two systems of execution laws in this state or any other. The national courts must conform to those of the states, or those of the states must conform to that of the nation. But which ever shall prevail, let it not be prescribed by irresponsible judges, but by the representatives of the people.

This judicial code is limited in its operation to the boundaries of Kentucky. It is not a national law obligatory through the Union; but is made for exclusive use in this this state. It is *legislation for Kentucky* by a power distinct from that of her representatives and and irresponsible to her people. She is treated like the *province of a great empire*, over which *proconsuls* or *governors* exercise the power of the *distant king*. The Supreme Court do not, because as yet they *dare* not, adopt an uniform code of execution laws for the whole *empire* which they can to control; but they suffer the principle to operate and advance by degrees, through the agency of their inferior tribunals. The local Judges can adapt their codes in some degree to the customs and usages of the people, taking a clause here and there from the state laws and fortifying themselves by abundant references, showing the source of the principles which they adopt. All these codes in the various states will be made gradually to depart from the state systems and assimilate themselves to each other, until, in the end, the mask will be thrown off and the supreme Court will come out with its universal system which shall pervade the Union and eventually force all the states to conform their codes to its stern provisions. Thus will Hamilton have accomplished his grand object, and through the agency of an *independent* judiciary will the state governments, the chief shield of civil liberty, be annihilated or reduced to insignificance and contempt.

There is another circumstance attending these judicial laws which stamps their character and gives us a foretaste of what may be expected by ready submission to the power which has passed them. Although they direct the body of the debtor to be imprisoned contrary to every known law in Kentucky; although they present a replevin, credit sales and sales of land in a form unknown to the laws of the state; and although they enter into numerous details which it is essential for the unfortunate debtor to know; *yet no order was made for their publication*. It was always a rule in Imperial Rome, in despotic France, in degraded Russia, and indeed in every government ancient and modern, free or despotic, that no law shall be obligatory until it be published or placed where the citizen can approach it with ready access. It is mentioned as one of the most damning traits in the character of a Roman tyrant, that he wrote his decrees in a character so small and posted them so high, that the Roman people could not read them, and then punished them for disobedience! The United States and every state in the Union incur much expense in giving publicity to their laws for the information of the people. But here is a code of *judicial laws*, designed for the government of the people of Kentucky, imprisoning their bodies and changing the modes of transferring their property, which lies buried in the Record Book of the Clerk, to which none of right have access, except the officers of the Court. It is owing to Newspaper Editors, and not to the order of the Judges, that it has seen the light of day and been held up to public wonder and execration. It would seem that under this new system, the freemen of Kentucky are to be treated worse than the vassals of eastern despotism and as bad as the victims of the Roman tyrant. They are to lose their *property* and *liberty* in pursuance of of decrees which they could never see and of which, except by the unofficial agency of others, they would be entirely ignorant. They are to be seized by the Marshal with his *Lettre de cachet* without knowing why or wherefore, and shut up in some modern Bastile. The proud freeman, the unfortunate widow and the humble maid are all alike subject to this irresponsible, secret and tremendous power.

By the 14th Rule, the Judges, by their exceptions, virtually assert the right of submitting to execution every species of property now reserved by state laws, even the widow's right of dower! A man has a qualified property in his wife and child, and what shall prevent that sovereign power which can subject his body to imprisonment and sweep every other species of property under the hammer, from directing the wife and child to be sold, until their labor shall have paid the debt of their husband or father! I do not believe the passions and corruptions of this Republic have reached in their excesses, those of ancient Rome; but it becomes us to avoid the principles which were there abused to the vilest of purposes. There a corrupt Prætor, through his fowl instruments, sometimes caused the lovely virgin to be sold for her father's debt, and made her the victim of his foul lusts. We do not fear such consequences now; because our Judges and Marshals are not so unprincipled and so base. But look at the power they assume. It is that of imprisoning our bodies and selling our properties, even to the labor of our wives and children. Think how, by a single and secret order, they may direct the *widow, wife* and *daughter* to be seized and put at the will of a merciless creditor, and you may have some idea of the extent of the power which is assumed and the danger of its future abuses when the sceptre shall pass into hands less pure.

Shall we sleep, like the Romans, until roused by some indignant Virginius, made desperate by the ravishment of a beloved daughter! Shall our state be made a *province*, and ourselves be subjected to laws, in the making of which we have no voice! Why did our fathers sever the British empire and raise up this splendid republic out of the dismembered fragment! It was not because the tax or three pence per pound upon tea, was oppressive, or because they were unwilling to pay it, provided it had been levied by their own representatives and applied to the support of a government in which their voice could be heard. But it was the *principle* asserted by the British parliament in laying this tax, which drew the sword from its scabbard and drenched a continent in blood. Men who were not elected by them and not responsible to them, assumed the right to make laws for their government, to bind them in all cases whatsoever. It was this *claim* of power, not its oppressive *exercise*, which excited our forefathers even unto blood. There was no interference with the codes adopted by the provincial legislatures for the transfer of property under execution there was no attempt, by virtue of acts of parliament, to subject the bodies of men and women to perpetual imprisonment contrary to the statutes of the colonies. Nor our fathers did not wait for this; but resisted a *claim* of power which only *tended* to these results. But in these latter days, the officers of a government created by ourselves, officers not elected by us but little more responsible to us than British Lords and Commons, possessing no more right to legislate for us than the King and Parliament, have transcended the power which *they* exercised and done an act more unauthorized and more daring than that which led to seven years' war and carnage. What did our fathers fight for! Was it merely to exchange a *foreign despotism* for a *domestic* one! Was it to sever the colonies of the British empire from the parent stock, that they might form *provinces* for a new consolidated and tyrannical government! No: they fought for *free system of legislation*, for the privilege of *making their own laws* and adapting them to their peculiar condition and circumstances. They would as soon have heard of a return to the British yoke, as a consolidation of these states under one government, the Judges of which, like the Satraps of ancient Persia, should give law to the various sections and hold in their hands the liberty and property of the subject. And so would I. If I must be governed by a despot, let him live beyond the Atlantic. If I cannot resist his power, I may then avoid his notice and escape his vengeance.

Can any man believe that the power assumed by the Judges was *intended* to be conferred on them by the constitution of the United States! Had this judicial code been presented to the state conventions which had it under consideration, as the natural and necessary fruit of the instrument they were they were discussing, would it have received the sanction of a single state! No They thought they were *securing* the freedom purchased in the revolution and not *surrendering it*. It is impossible, that the framers of the constitution intended to cheat the people out of a representative government, or that the people intended in adopting it, to bow their necks to the yoke. The desire of *some* of the members of the convention to destroy the state governments, was well known. Alexander Hamilton openly avowed it and proposed a system of government framed speedily to accomplish that end. His plan was to have a President and senate for life, and vest in them the appointment of Governors of the states who should have an absolute veto on all acts passed by the state legislatures, while Congress should have power to pass all laws whatsoever.' By this plan, no state law could be enacted without the consent of the Governor appointed by the national authorities. What have we now! Why we have officers appointed for life by the national authorities, who do not indeed possess an absolute veto on all state legislation but *assume the power of legislation themselves* in defiance of the state Legislatures! Hamilton's Governors could make no law by virtue of their own power, unless it had previously passed the state legislatures; but these Judges make laws to bind the people *without consulting their legislature*, and in this exercise of power, *even set the acts of that body at defiance!* Coextensive with the granted and assumed jurisdiction of their court, the power exercised by these juges, exceeds that intended for Hamilton's Governors. The latter could only *prevent the passage of a stab law*; the former actually *pass laws themselves*.

I cannot think the framers of the constitution intended to cheat the country into a government like this, and if I did, I would refer the understanding of *the people who adopted it* as the true meaning of the constitution, and not the fraudulent designs of the *men* who *framed it*. If it be not in truth and justice what the people understood it to be; it is not their constitution and is not binding upon them. Fearless of contradiction, I say it was never the understanding of the people that the federal Judges were to legislate for the states in the shape of *statutes* or *rules*, and therefore the power assumed by them is wholly unconstitutional and a gross usurpation. It has no apology except that used to justify the usurpations of Cesar, Cromwell and Bonaparte. It is based on the assumption that the people are incompetent to prescribe good systems of execution laws to themselves and therefore that they ought to be controlled by the wise and learned. The intelligent few are to govern the ignorant many. "*The rich and well born*" must prescribe to "*the nether end of society*, codes of laws which may save them from their own errors and follies! It is the proud attribute of freedom, that it has the sole power of correcting its own errors. Liberty consists in freedom of action. Take from the people the power to do wrong and to correct their own errors and you deprive them of liberty. When they do wrong, they will ultimately discover and correct the error without the interference of judges or despots. Away then with the whole rabble of usurpers, military and judicial. The people of Kentucky are not yet ready to surrender the law making power that they may purchase, in the discretion of a despot, protection against their own ignorance and errors!

To be continued.

FROM ENGLAND.

NEW-YORK, JUNE 28.

By the packet ship Silas Richards, we have received our regular files of London papers to the evening of the 25th, and Liverpool of the 25th of May.

The Catholic emancipation bill, as we anticipated, was rejected in the House of Lords; 130 voted in its favor, and 178 against it. The majority, it appears to have been greater than any former period when this measure was before House. A meeting of the Catholics in London had been held, and several resolutions passed declaratory of their intentions to persevere in their efforts to obtain the object for which they are contending. The Duke York's speech against the bill had been printed in London in letters of gold.

Ministers had communicated three state papers to Parliament, of considerable importance, from the foreign department. The first was a treaty with Russia, settling the disputed claims which existed, with regard to certain rights of trade and navigation in the Larifix. The second was a treaty between England and Sweden, providing, (by the establishment of the mutual right of search) for the more effectual suppression of the slave trade. The third, official document of the treaty of amity and commerce

between England and the United States of La Plata. When Mr Canning laid the last of those papers before the House, there were long and loud cheers from all sides of the House.

The health of the King of England was considered to be in a very precarious state.

FOREIGN NEWS.—The Greeks triumph—The Irish Catholics are proscribed—The Spanish Catholics are rising against the absolute government—and two parties are forming in Great Britain and Ireland; the one to advocate Catholic emancipation and the other to oppose it. At the head of the former is Geooge IV. and Mr. Canning; at the head of the other his Grace of York and Lords Liverpool and Eldon.

NEW STEAM ENGINE.

A Steam Engine has been invented by Mr. Lambert, of this city, and for which he has received letters patent from the President of the United States, upon a perfectly new and novel principle Like Perkin's improvement, he proposes to obtain a locomotive power in one fourth part of the space now occupied by the boilers, upon the different plans of engines now in use. But he differs from that celebrated mechanic evidently, in the method of generating steam. He is confident that the saving of fuel will be immense. In the steam boat upon which he is now making his experiment, he supposes that two bushels of coal will be amply sufficient to work the engine for twenty-four hours. His improvement consists in a strong cast iron steam generator, which is heated to a given point, when, a portion of steam, heated to a low temperature, is introduced from a boiler of very small dimensions—which coming in contract with the high temperature of the steam generator, becomes immediately heated to great elasticity, which is let off in a cylinder, with a common piston; and upon the return stroke the same process is repeated, and so alternates. We consider it as a great improvement upon Perkin's plan. In one case, cold water is introduced into the steam generator, under a very high pressure, and by small quantities at a time; while on the other, steam is introduced, of the elasticity of 212 deg. of temperature, on the common boiling point.

Having formerly witnessed the result of an experimental engine made by this gentleman, some time since, which perfectly succeeded for some time, while in action, until an unavoidable accident happened to it, and which now can be perfectly guarded against,—we feel no hesitation in pronouncing our entire conviction that it will succeed fully to the expectations of its ingenious inventor. It will form a new era in steam enginery and obviate all the objections now made to the steam engine, for locomotive power; particularly for propelling carriages upon rail ways, or upon even turnpike roads. A few gallons of water, and a very few pounds of coal, will be sufficient to give a generating power equal to the largest steam engine now in use. He is constucting a very neat engine upon this principle, and in the course of a short time, the citizens of New-Orleans will be gratified with witnessing this splendid improvement, by actual observation. It is worthy of remark, that the first exepriment to demonstrate the correctness of his new principle for generating elastic power he made in 1817, a long time before Mr. Perkins had conceived his improvement. The result of that experiment, we had the pleasure of witnessing ourselves

There cannot remain a doubt that when he brings his improvement to perfection, that it will remunerate him immensely, and entail upon mankind the greatest obligation.

Orleans Gazette.

Messrs Editors.

I have perused with some interest a piece in your paper, respecting those stupendous bones lately brought up to this city from below. I was induced to call and see them, and was much gratified in witnessing those singular monuments of a world before the flood.

I notice also in the 'Louisiana Advertiser,' of the 18th inst. a communication upon that subject, which I am inclined to believe has assigned a wrong place to the large bone It is evidently a portion of the upper jaw.—The writer supposes that it is a scapula or shoulder bone. This appears impossible, as the depressions and eminences formed by the convolutions of the brain are plainly to be seen upon it. If the writers physiology is correct, it is difficult to conceive what class of animals it belonged to, unless, like him, this nondescript had brains seated below his shoulders, if so as the writer observes, it must be sui generis and quite anomalous to all animals that have come under our scrutiny."

CUVIER.
ibid

SINGULAR PHENOMENON.

On the evening of the 1st inst. at half after eight o'clock the water in the Mississippi at Fort St Philip, and for three or four hundred yards above, rose suddenly from six to seven feet perpendicular, so as to throw logs of the largest size, upon the Levee, and many between three and four feet diameter some distance over it, carrying all the garden fence and bearing down all the fruit trees in its direction for some distance.

It is supposed the whole time occupied by this extraordinary rise could not have exceeded seven or eight minutes some say less than five from the commencement until the waters had retired. The extent of Levee over which the waters were forced does not appear to exceed half a mile; the greatest rise being about two hundred and fifty yards above the glacis, and nearly opposite the middle of the eddy.

On the opposite shore its effect was very inconsiderable, and perceivable, for a few hundred yards only.

At the time there was very little wind, and no clouds except at some distance to the N. E. in which direction they appeared pretty heavy.

The only noise heard was that of an immense surge driven towards the shore from the interior of the eddy, and the crashing of timber brought with it.

Fort St. Philip, June 3, 1825.

HINTS TO CHURCH GOERS.

Those of our readers who are in the habit of attending divine service, would we think, very naturally conclude, that the following was written expressly for the meridian of Lexington if not informed to the contrary. We are indebted for it to the National Intelligencer, who assures its readers that it is copied literally from "the Lathes Garland." where it appears as an extract from a London paper.

Said I, do you know what woman that was who went out of the Church this evening, immediately after the last singing was through. O! said my wife, that is Mrs. Fidget. Well, said I, seems to me, she might as well have staid another minute, and gone out with the rest of the assembly; it would only have added one to the eighty-nine minutes she did stay; she would then have saved her reputation with the audience, and have participated in the blessings so fervently invoked by the Minister. To be sure, said my wife, but you know, one might as well make a wild-cat sit still as one of that family, when the family blood begins to operate. Yes, said Miss Twitter, who is staying at my house, and it always operates, I think. It's a pity, said I, that folks are not better brought up; but this does not appear near so bad to me as it did to see Mr. Hasty get up and go out evidently in a rage, the the other evening, because the sermon was a little too long. Ah! said my good old father, who is visiting us, and sat with us by the fire, the house of God is the place to be humble, and meek, and penitent. And, continued he, I could not but be grieved to see many of your congregation, who, while the blessing was pronounced, were busy in getting their hats, putting on their gloves, and opening their pew doors, with an apparent eagerness to get out, scarcely concealed by a regard for decency.—The gate of Heaven, said he, is the place at which we should love to stay, and linger, rather than hurry off. How little can they be sensible of the solemn import of the benediction! We were affected by the earnest and solemn manner in which the old gentleman spoke It appears to me, said I, that people ought to be willing to stay until service is out, and careful not to disturb others, by coming in after it is begun.—There is one young man who has lately come to our meeting, who seems to make it a point to come in just after the congregation have got still, and the services are begun. I don't know who he is; but he appears as if he got up late, or else wanted to be seen. That's Dr. Camomile, said my wife. He has his patients to visit Sunday mornings, you know, said Miss Twitter, with a shrewd look. Well, said I, until he learns better manners, he shan't have me for a patient. I never mean to look about, said my wife but four or five Sundays ago a young man and woman sat in a pew just before me, who conducted in a very silly manner. That's Mr. Bittersweet and his new wife, said Miss Twitter, but you must excuse it. It is strange, said my wife; how many improprieties there are committed at church; people take up a psalm book, and read while the minister addresses them—a thing they would think very indecent any where else; they will whisper, and drum with their fingers, and in various ways disturb those around them; and people too who would not for the world be thought impolite. They will suffer their children to conduct in a manner at church which shows to the whole congregation that they are not governed at home—they—Alas! said I, I wish people had been better brought up.

Ingenious Device.—The Montreal Herald of Saturday week last states that the owner of a raft of fine large timber, on his way to Quebec, for sale, appeared at the custom house, in order to get the raft examined, and the necessary documents for transporting it made out. Unfortunately for him, the gentlemen of the custom house, examined with greater minuteness, indeed, than is common in such cases, and than the trembling owner could have wished; each of the large logs of which it was composed was found to contain a certain number of canisters of the finest Spanish leaf, plug and segar tobacco; placed there no doubt by the aid of an ingenious pump-borer, and shut up at each end of the logs in a manner that must have inevitably elnded discovery, had not some person employed in the business of concealment given information The number of canisters seized amounted to 219, each containing about 18 lbs. weight; so that had the speculation prospered, the profits must have been very great. For the future rafts, they will enjoy the special cognizance of the Custom House Officers, as this new method of *hermetically sealing* tobacco is worthy of being particularly attended to.

Philadelphia July 2 1825.

An Irish gentleman by the name of McGree has arrived in this city from the county of Tyrone Ireland he is 8 feet 9 inches high, he has taken lodgings at the house of Mr John McGuigan South seventh street. [*Saturday evening Post*

Communications.

TO THE PUBLIC.

On yesterday a hand bill was put into my hands by R. J. Breckinridge Esq written by himself in which is contained the following paragraph. It was written on the margin of a copy of the debates on the Judiciary bill in Congress in 1802 and is as follows. viz.

"The contemptible federalist who published this volume, has had the impudence, to put in my mouth in this speech, and in one, on page 259, a good deal I did not say, and to make nonsense of some arguments I did use. The two first speeches I made, on page 5 and 151, he has copied literally from Samuel H. Smith's paper, who took the whole debate correctly; but has wantonly departed from Smith in these two last speeches. This memorandum I make, particularly as my last speech is grossly perverted; and its principles are important, and must one day or other prevail, or the constitution will be a dead letter. See Smith's National Intelligencer for this speech correctly."

I have but a few words to say in reply to the remarks of of the author of the handbill, nor should I make those, but that it is known that I had in use of the doctrines of John Breckinridge as contained in Bronsons report of his speech, and am therefore one of those alluded to in the handbill. That John Breckinridge did use the expressions and advocate the principles contained in that report, cannot be doubted for an instant, when the National Intelligencer which *he* refers to as containing the true report, is examined. The report contained in the Intelligencer as the author of the hand bill allows, corroborates the truth of the report made by Bronson. They differ sometimes in modes of expression, but never in the substance of the principles advocated. Here then are reporters *engaged on the opposite sides of the question*, who unite in asserting the *same sentiments* to the speaker. Had Mr Breckinridge formerly denied the report to be true their accordance on the subject, would have given sufficient ground to have charged them upon him. But Mr Breckinridge does explicitly allow that the report in the National Intelligencer *is correct* Then we can safely refer to that paper as authority. it does in substance and spirit entirely agree with the Federal report of the same speech, and must be received as correct.

In addition to the above, it was seen a sale in Congress and no doubt was when that debate took place, to furnish each member with the National Intelligencer at the public expense, and to place it at his desk every morning before the house met Mr. Breckinridge must have seen his speech in that paper before he wrote his marginal note in the book. He never contradicted the truth of the report, and directly affirms it in his last remarks.

In order to satisfy those who may be curious enough to compare the two together, both can be seen by applying at the office of the Kentucky Gazette. I am sorry that the name of Mr Breckinridge should be involved in this dispute. His memory is revered by Kentuckians, principally on account of the republican doctrines which he advocated with so much force on various occasions during his public career. His private virtues have never been questioned. It would probably have been better to have adopted a different course in this case. But as I am compelled by necessity, in order to defend my [illegible] consistency and veracity, to make use of his name, I trust that it will be a sufficient excuse for so doing.

JOHN M. M'CALLA.

Lexington July 16, 1825.

THE GAZETTE.

FRIDAY EVENING, JULY 15, 1825.

EDITED BY JOHN BRADFORD.

PUBLIC MEETING IN FRANKFORT.

We learn from the Argus, that a public meeting was held in Frankfort on the 11th inst, for the purpose of taking into consideration, the rules lately made and adopted by the Federal court in this state for carrying into effect, judgments of that court, in which the *ca. sa.* is revived, and the execution laws of the state disregarded. The subject was ably discussed by Messrs. White, Bibb, Sharp, Crittendon, &c. for about five hours, before a crouded audience of about 300. Many of the country people went home before the question or the resolutions were taken, and the majority in their favor much less than it would have been had they remained On counting the votes there appeared in favor of the resolutions, 314, for the substitute offered in lieu the original resolutions, 73. The resolutions were as follows, and offered by Mr. D. White.

1. *Resolved*, That in the opinion of this assembly, the constitution of the United States does not authorize Congress to delegate to the Supreme Federal Court, nor the inferior courts the power of either enacting or altering the execution laws of these tribunals.

2. That Congress has not by any Legislative enactment, attempted to delegate such authority.

3 That the constitution of the United States does not warrant the exercise of such a power by any tribunal whatever except the representatives of the people in legislative assembly, periodically responsible to them. Therefore.

4 *Resolved*, That the system of execution laws which has been lately enacted by the Federal Court of this state, under the denomination of 'Rules of Court,' but in themselves essentially laws of the most important character, not only as they affect our rights of property, but endangering personal liberty itself, are wholly unwarranted by any constitution or law whatever; and although we believe that we can never be indneed to oppose their execution by physical force, we must declare that we view them as founded on the most unqualified usurpation, and that they ought to be opposed by all constitutional and peaceful means, and through every organ by which the people can speak.

Therefore, and for the purpose of obtaining a restoration of all the constitutional rights of the states and their citizens.

Resolved, That the General Assembly of this Commonwealth be called upon to instruct our Senators and request our Representatives in Congress to propose and urge upon that body, to reorganize the Supreme Federal Court on principles which will insure the protection of the sovereignty of the state over its own soil, and the people's right to rule themselves.

Resolved That our fellow citizens throughout the state be requested to co-operate with this meeting in measures to produce the proposed reformation, and that the following address be adopted and published in the Argus of Western America and all the other Democratic Journals in the country.

A. CROCKETT, *Chairman.*

N. RICHARDSON, *Secretary.*

The resolutions offered by Mr Crittendeu as a substitute to those of Mr White were,

Resolved, That this meeting do most solemnly protest against the delegation by Congres, to the Judiciary, of the power exercised by the Courts of the United States, in the adoption of Roles and regulations for the government of the execution and other process emanating from the said Courts, and that they do deprecate, as violations of the true spirit and meaning of the constitution of the United States, as well as an infringement of the rights or liberties of the citizens of this state, the exercise of legislative powers of any description or character whatever, by the Judicial tribunals of the United States.

And further, *Resolved*, That our Representative in Congress be instructed to use every effort in his power, to put an end to the exercise of such powers by the judicial authorities of the United States in future, and to procure, if possible, the adoption of such regulations, in relation to the execution and other process issuing from the Courts of the United States as shall conform as nearly to the regulations adopted and enforced in the states respectively, as may not be inconsistent with the constitution of the United States; and our said Representative in Congress is further instructed to employ his best exertions to procure the abolition of imprisonment for debt; and also to procure the passage of an act of Congress requiring the concurrence of more than a bare majority of all the Judges of the Supreme Court in every decision whereby a legislative act of any state shall be declared or adjudged to be unconstitutional and void.

Resolved, That our love of the Union, and our firm reliance on the virtue and intelligence of the general government, is sincere and undiminished, and that we look to it with confidence for the correction of all those errors or delinquencies which may have been committed intentionally, or unintentionally in the long course of its administration.

And further, *Resolved*, That the General Assembly of this state and our fellow-citizens are requested and invited to concur with us in the promotion of the objects and purposes expressed in the foregoing resolutions: and that they be published in all the newspapers of this town.

PUBLIC MEETING.

A meeting of the people is called at Capt. Fowler's Garden on Wednesday the 27th of the present month, the object of which is to take into consideration the new Code of Laws lately passed by the Federal Court. It is expected that the Candidates for Congress & for the Legislature will attend; and the citizens of the adjoining counties are requested to be present- No subject of more vital interest to the liberty of the country has been presented for consideration since the the days of the Revolution than the one proposed to be discussed at this meeting By the laws enacted by the Federal Judges a new power is assumed unknown to the constitution & at war with all our institutions; which prostrates at one blow the authority of the people in their Legislative assemblies. The liberty & prosperity of every man is subjected to the will and caprice of two Judges, and laws solemnly enacted by the state and national legislature, repealed, modified and revised at their pleasure. These are plain truths to be seen on an examination of the Rules & Laws lately established by the Federal court; and every citizen who can attend on the day named, it is hoped will be present & hear, learn and determine for himself. The people of Kentucky and the citizens of Fayette have been ever foremost in resisting encroachments on their rights; and all recollect with gratification the important meeting held in Lexington on the subject of Federal usurpation in the days Alien & Sedition laws, when Nicholas, Clay and other patriots distinguished themselves as the advocates of freedom and the enemies of usurpation. The present occasion is not less important, and the attack of our liberties more dangerous and alarming. We trust that now as heretofore the people will be found true to the cause of the republic, and the intrepid asserters and defenders of correct principles.

A CALL.

On Saturday last, Mr. Wickliffe asserted in a public speech made at Mr. Taul's barbecue, "that he believed that the state house *was burnt down last winter by design*, in order to *conceal* the *deficiencies and confusion in the acts of the departments of government.*" On last Monday at the Market house in Lexington, he repeated the assertion when called upon.

I do not disapprove of a strict investigation into the conduct of public officers. But no charge should be made, or insinuated without good evidence. I therefore demand of Mr. Wickliffe to produce the reasons for his belief, in order that the people may judge of their weight.

A CITIZEN.

The following communication was handed to us yesterday, by the carrier of the Reporter, without any information of the source whence it emanated. We conclude it is the piece referred to in the Reporter of Monday last. During the present week several have enquired whether we had received it, as well as whether it had any allusion to the conversation had sometime since at the Post Office door between Mr. Breckenridge and the editor of the Reporter?

The piece itself will not only satisfy that enquiry, but will also explain the reason why it appears in this paper.

Mr. Smith Editor of the Reporter

——— I have for some time expected to see a series of questions addressed to Mr R. J. Breckenridge in your paper relative to Transylvania University, as his name was introduced through the medium of your paper to the Public. I have waited in vain and with reluctance now address him. I interfere little in Politics and at this time at the request of my friends I am induced to write a few questions only by the importance of the subject and the near approach of the Election- You will confer a favor by inserting them in your paper or by handing them over to the Editor of the Gazette

Yours, a VOTER.

Robt J Breckenridge Esq

Sir Knowing that you are at this time a candidate for the suffrages of the people of Fayette county to represent them in the next Legislature I at the request of many voters now address to you a few lines on the subject of T University; a subject with regard to which your sentiments are known only by report, consequently known with little certainty. Those reports however carry with them the belief that you are hostile if not to the T. University, at least to some of the present administration. We are anti-relief men and anxious that Fayette should send an anti relief ticket, yet we feel that the interest and prosperity of Transylvania University are at stake, that the ensuing session of the Legislature will be important to Kentucky believeng that the question which now unhappily agitates the State will be finally decided, that the present is the crisis of our University also we have no doubt. We cannot therefore vote for anti-belief men if they do not support this institution, important as must be the decission of the party question we have determined, considering of how much more importance the T. U. is to us, to vote for any relief candidate who will support it (T. U.)

Having these views we think proper to address you. We wish you to declare what course you will pursue should any resolution be introduced to the Legislature for the benefit of T. U. or for its injury. In the present crisis of affairs neutrality will not suffice; our candidates must pledge themselves to support the University. They must be friends or enemies. By answering the following questions you will oblige Many Voters. Q. 1. Will you support any question introduced to the Legislature for the purpose of endowing T. U.

2 Will you oppose the election of a new board of Trustees? 3 Will you oppose the reduction of the salary of any officer? 4 are you a friend to the *liberal principles* upon which the T. U. is administered? 5 Will you support this administration? 6 Have you laid aside your hostility to President Holley for the present or forever? This is a question that I have hesitated to ask, it implies that interest was or will be the cause of the cessation of the enmity if it still exists. I put the question because it is asserted by the relief party, that your enmity and opposition to P. Holley will be revived where circumstances shall be more favorable, and it is also asserted that when you perhaps have fixed yourself in the affections of the people will risk much with them to cause the removal of the President.

MANY VOTERS.

If Mr Smith does not think proper to insert the above he will please hand them over to Mr John Bradford, Editor of the Gazette.

Communicated.

MAJOR GENERAL SCOTT.

I was agreeably surprised at finding the above named gentleman on one of the guests at Mr. Combets on the 4th inst. He is at present in command of the Western Section of the United States, having not long since exchanged with General Gaines, who now commands the Eastern military division. His visit to this part of the country is gratifying to all classes, none of whom can feel indifference or ingratitude towards this distinguished soldier of his country.

With his name are coupled the most interesting recollections. We look back to the plains of Chippewa, & the falls of niagara & with the deepest interest, as fields on which American gallantry led by American skill, redeemed and re established the character of our troops; as exploits, which in the opinion of British officers, rivalled any they had seen in the Peninsular war; & where the bayonet was freely applied to those who had formerly boasted of it as their own peculiar weapon. Kentucky officers too under the command of General Scott reaped a full harvest of laurels. Jessup and Trimble, there gave indications of that glorious, spirit which lead our troops to victory, and crowned them with renown.

Kentuckians have never been insensible to the claims of military merit. Of all the officers of the late war, none can have greater claims on our feellings of administration and gratitude than General Scott. W.

Pierce Butler we understand, has declined standing as a candidate for Congress. Therefore the candidates who will be before the people at the approaching election in this county will be,

FOR CONGRESS·

HERMAN BOWMAR.
JAMES CLARK,

LEGISLATURE.

SENATE.

WALLER BULLOCK.
ROBERT WICKLIFFE.

HOUSE OF REPRESENTATIVES.

JOHN M. M'CALLA.
THOMAS A. BUSSELL,
JACOB KIZER.
JOSEPH GRAVES,
ROBT. J. BRECKINRIDGE,
JAMES TRUE,
HENRY C. PAYNE.

Death.

Died in Woodford county on the 8th inst Mr John Chamblin.

——On the 13th inst in this place, Thomas M. Hickey, infant son of Thomas M. Hickey, Esq.

——On the 9th inst in this place Mr William Gibbons.

A List of Letters,

REMAINING in the Post Office at Lexington Ky, July 1st 1825 which if not taken out before the 1st October, will be sent to the General Post Office as dead letters

A

Allison Robert T 2
Atchison James
Alexander Charles
Alexander Gerrard
Atchison Wm.
Allen Richardson,
Allen Thos M
Akins John
Albertie John Ch
Anderson John
Ackman Charles

B

Bayley Wm. 3
Bailey Silvester
Baker Elizabeth
Baker Leo
Banks Simon
Banton Capt.
Boddus Thos
Bradley Thos
Braud Addelaid
Brauton Nancy
Beatty Robert
Berry Wm.
Benedict Harrace Rev. 2
Breham Phillip
Berry Benj. Capt
Bell James
Bennet James
Bennet Joseph
Briant Caswell
Booth Wm
Bosworth Elizabeth Miss
Boswell Allens Maj
Brown James
Brown Mason
Brown Doctor
Bloods Harvey Capt
Burris Nathan
Burgridge Mrs E C
Buford Col Abram
Bush Fleming
Bryant James, 2
Bryant Jessee

C

Chambers Maxwell
Clark Mathew
Clark George
Caldwell Samuel
Campbell James
Carron Burton
Chandler Henry
Cheatham John W. 2
Chrisman Henry
Chrisman Joseph
Creatle Jacob
Chuck George man of color
Cresson John C & Caleb
Cunningham Jos P Rev.
Cooper Rebecca
Conever James
Connally Gillmore
Cotton Benjamin
Cocks, Wm 2
Cromwell Benjamin
Coleman Mrs Eliza
Connell & M'Mahan
Conaway Jessee
Cooper Adam
Cortes I P
Cappelley Wm A

D

Davis Miss Florida 2
Davis Jas E
Davis Lloyd
Davis Soloman
Davis Robert B
Dabney J
Dickerson Thos I
Duvall Miss Mary
Dubose Edwin E
Dugar Joseph
Dumass Benj

E

Ellis James P
Ellis & Morrow
Edwards Col John
Eve Miller
Elliott Benj
Elliott Wm 2

F

Fauntleroy Wm M
Featherston Jeremiah
Fetts W J
Fullgham J W
Fisher Wm
Falconer Lewis for H Nelson
Freeland Mr for H Groce
Farra George

G

Grant Stephen
Gray J C
Gibney Alex.
Gains Daniel
Graves Wm
Galoher Saml
Godwhen Robert

H

Hamilton James
Haggin Mr
Hall Thos M
Hart John
Haymer John
Hart John M
Hanley Acaner
Harrison Cary W
Hart Rachel
Hanison James
Harrison Saml
Harrison Miss V.
Herndon Thos
Hesselwood Mrs Nancy
Hieronymus Saml R
Henson Robert
Hemmenway Joseph
Higgins Robert
Holley Horace
Holmes Wm
Hooper Wm
Holmes Wm H
Holland Elizabeth
Holt David Capt
Hope Wm
Hodge Sally A
Hutchinson Elijah
Higgins Fielding 2
Hughey Mrs Eliza M
Hunt John
Hudson Joseph N
Huggen Ann

J

Johnson Nelson C
Johnson Sarah
Johnson John M 2
Jones I.
Jones Miss Lucretia
Jenkins Alfred
Jenkins James
Jewell Lewis
Joskip Theodtia

K

Kent John
Kelly Mary
Kicke T
Kane Thos
Kibler John
Keaneday John B Dr
Kerr John
Kirringham B
Klog Alex.

L

Logan Jas R
Lozier Nicholass
Logan Thos
Loving Miss Mary
Lamb Benjamin
Lucas Zachariah
Logan Alex
Logan James
Lee Thos L
Love Samuel
Lowry Miss Maria
Laird Saml
Lonckart Joseph

M

Marrs James
Moore Oliver

Martin Robt. B
Martin Jonathan 2
Mottu Orvall B. 2
Marr John
Marker Frederick
Maddox Notley
Marshall Mr
Maddison George
Mansfield Isaac
Melia Willis
Milton Ehlah 2
Miller John T
Miller Geo
Michil David C
Monroe Geo
Morgan John
Morrison James M
Moore F

Nelson James

Oswall Priscilla

Prall James
Parker James
Patterson Maj D W
Perrit John
Payne Edw'd
Patterson Eliza
Pilkington Sam

Raffinesque C S 4
Ramsay James
Rains Henry
Railey Wm
Riddle Geo
Riske Miss Susannah
Riley James
Riley Benj
Richardson Wm
Richardson Geo 2
Rice Michael
Robnet David
Robinson James 2

Saxton Wm
Shackleford Jno M
Shannhurg Charles
Saunderson Wm
Slaymaker Stephen C
Spreak Thos
Sanders Lemuel
Spears Chas C
Simmons Linza 3
Stevenson Thos J
Shepherd Dicky
Speck David
Stephens Thomas
Stephens Wm
Shelby John
Singleton Daniel 2

Tempy Jacob or John
Theobald Dr Saml
Taylor Leonard
Taylor N P
Tillinghast Dan A
Tindle Isaac
Triplett Robt

Wash Robt.
Whaley Benj
Waters Jas H
Walling Henry 2
Watts Geo
Watkins Jacob
Wall Gen. W
Walker Jos W
Waring Jno
Wallace Jas H 2
Wallace Jno 2
Wallace Jos S
Wilson James 3
Wilson Samuel
Wilson Robt S 2
Wilson Edwd
Wingate Joseph

Young Leven 2
Young Miss Mary M.

Morris Richd T
Mosby Wm T
Montee Mr.
Morris Nancy Miss
Munns Charles
McNelt Miss Mary
McClure Jas A
McQuinn A R
McGinnice John
McConnell James
McKendree Rev. Wm.
McGowan Jas S
McCown J or D
McChord John
McNeile Malcom
McClain Andrew
McKinsey John
McNitt Wm

O

P
Pringle James
Prague Wm P
Purkins James
Powell C B
Pollon Richd
Pollard Thos J
Pitts Thos
R
Robinson Capt Alexr
Robinson David
Robinson Miss Harriet
Robertson Moses
Roberts Mrs Darcus
Russell Robert
Russell Mary O
Russell Robt S
Russell Polly
Riccle Henry
Reynolds Julia 2
Robinson Miss Nancy

S
Simmons Sol
Simpson Thos
Smith Gransford P
Spires Capt Green B
Spires Greenbury
Smith Joshua S
Summers Caleb
Showard Leven
Sullivan Wm.
Skunker John
Stont O H Dr 2
Stockton Louisa
Swope Catherine E K
Strother Geo F
Scott Robt H

T
Trimble John
Thompson Wm W Dr.
Thomlinson Mrs Eliza 2
Truman Jacob
Townsend James
Turuboll J
True James
W
Williams Jnn B
Williams Sarah
Withrow William
Wells Isaac
Wickliffe Robt.
Williams Alex H
Whisler Saml
William black man
Webb Doct Wm
Webster Thos
Webster Jacob
Wyatt Richard 2
Wood Ewd B
Woods Matthew T
Woolfolk Richd A
Wasson Jos

Y
Young John T
Yeargin David J

Persons calling for letters in the above list will please say they are advertised.

J FICKLIN, P. M.

For Sale.

A valuable tract of about

320 Acres of first Rate

LAND;

LYING on Cane Run about five miles from Lexington, binding on the Iron Works Road, on which there is two log Cabins and 90 acres cleared; the remainder

Well Timbered with Timber

Of the first Quality,

& furnished with an abundance

Of, Stock Water.

This Tract can be very conveniently divided into two tenements, so as to accomodate purchasers who may not incline to purchase the whole.

For terms apply to William Story of Georgetown or John Bradford of Lexington.

28—tf

Masonic.

THE GRAND ANNUAL COMMUNICATION of the Grand Lodge of Kentucky will be held at MASON'S HALL in the Town of Lexington, on the last Monday in August next at ten o'clock, A. M. at which time the Grand Masonic Hall will be dedicated

By order, D. BRADFORD, G. Secy

Lexington July 15, 1825. 28—3t

SILVER SPOON FOUND.

AN OLD NEGRO WOMAN engaged in the sale of Raspberries left at a house in Lexington a large SILVER TABLE SPOON sometime last month, which the owner may have by describing it, and paying the expense of this advertisement—The Negro Woman stated she lived four miles from Levington—she is large and advanced in years. July 15, 1825. 1t

☞TO RENT.☜ ☞TO RENT.☜

THE subscriber wishing to decline his present business offers for sale

A SMALL ASSORTMENT OF

Groceries &c.

The house that he occupies, will be rented to the person purchasing; it is one of the best stands in Town for the business, being near the Upper Market and Court House. CHAS. CUMMENS

The Goods will be sold at very low wholesale prices 28—1t*

HONEY.

THE Subscriber has on hand and for sale at his Drug & Apothecary Store No. 3, Cheapside, a large quantity of strained Honey by the Keg or pound.

JAMES GRAVES.

Lexington, May 12, 1825.—19-tf.

TO RENT LEASE OR SELL.

A neat small BRICK HOUSE four doors above Mrs. Keen's Inn on Main-Street. Possesion is to be given by Mr. Noel, first of August.

WILLIAM S. DALLAM.

June. 30, 1825—27-3*

LITERARY NOTICE.

DURING the vacation the subscriber proposes to instruct a private class in MATHEMATICKS, provided he receives a suffidient number of applications to authorize the undertaking. Terms will be made known on application at his room in the University, or residence.

THOMAS I. MATTHEWS.

July 9, 1825—27-3t*

To Printers!!

FOR SALE at this office, the following PRINTING Materials viz

One Imperial Press and One super Royal Press,
250 lb Pica
200 do Long Primer
186 do Bourgeois
150 do Brevier
46 do Double Pica
25 do Cannon

Together with 5' 7, & 10 lines Pica and other Job letter.

Composing sticks
17 feet double column rules for super royal or imperial paper
7 do double and single fot advertisements.
28 lbs Book and Newspaper Metal scabbards.
2 pair medium and super royal chases.
One small job chase
17 pair cases
6 Case stands
14 News Galleys
1 Ba k
1 Imposing stone and stand &c &c

The whole of the above articles are nearly new and may be had cheap for ready money. tf

A LIST OF LETTERS,

REMAINING in the Post Office at Nicholasville Ky. which if not taken out in three months from this date, will be sent to the General Post Office as dead letters. July 1, 1825

A.
Arnold David
Alford Granville G.
B.
Basye Thomas
Berkely Sarah
Bourne Whitfield
Baker Margaret
Bolter William
Bourne William
Burch Henry
Bourne Abner.
C.
Carter Ephraim
Canvey Martin
Campbell Peter
Caid James T.
Clerk of the Jess Circuit Court
D.
Dehne Jnseph
Davis James
E
Eart Henry
F
Frost Stephen
Farra George
G
George David
H
Hawkins Thomas
Hays Samuel
Huber Moses
Hunter Jessee
Higbee Nancy
Hunter Samuel
Hubbard Thomas
Howard Fleet
Harris Nathaniel
Hitt Elias
Hogen William
Howard T.
Hill John
J
Jackson Thomas 2
Jeffreys Thomas
Jewel Lewis
K
Kelly Mary
L
Lynch Josiah
Lafon Atwell
Lewis Nancy
Lowry John
Lesly James
M
Moss Ray
McMurtry Robert
Morane William
Mays Samuel
McPheters Alexander
McCampbell Andrew
Menetee Richard
N
Netherland Benjamin
O
Overstreet Nancy 7
Oaks Catharine
P
Patton James 2
R
Rice Jefferson
Richards Alexander 3
Roberts Nicholas
Reed John 2
Robinson Henry
Rowland George
Ross Moses
Runnells Thomas
Riggs Edmund
S
Stephens Richard
Shanklin Thomas
Singleton Lewis
T
Trebue David
A
Vaughter Jessee
W
Whip John 2
Walters Stephen
Walker A. J.
Woodson Samuel H.
Woods Richard
Watson Patrick
Webber Charles W.
West Susannah
Weber John
Wake Alexander
Wiles Jacob
Weber A.
Wallace Rebecca.

A YOUNG, P. M

27—3t

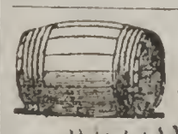
Handsome Engravings

WILL BE SOLD this day at 3 o'Clock at DANIEL BRADFORD's Auction Room a

Handsome collection of

PRINTS & DRAWINGS.

Fit both to Frame and for the CONOISEURE'S Scrap Book. Satur ay July 9 1t



Tobacco Manufactory.

WILLIAM H. NORTON

HAS opened a shop opposite Drs. Pindell and Satterwhite, where he has and will constantly keep on hand

Best chewing Tobacco,
Best Kentucky Spanish and common SEGARS.
Scotch, Rappee and Maccouba Snuffs of superior quality, Wholesale or Retail.

W H N Has recently commenced the manufacture of

Wrought Nails,

A supply of which, equal if not superior to any manufactured in the United States, will be constantly kept for sale at the above establishment.

Lexington July 8, 27—tf.

Lands for Sale.

THE subscribers wish to sell their farms on which they live in the county of Mercer on Salt river seven miles below Harrodsburgh and one mile west of New providence Church containing near

300 Acres each:

The land is of good quality well watered and timbered, with good improvements orchards and buildings.

Also one tract containing 160 acres, nine miles below Harrodsburg on Salt River, on which James McAfee lives Good Land, well watered with good

TIMBER AND GOOD

Improvements,

The whole or either of the above farms will be sold low for cash and a reasonable credit given for part of the purchase money. JNO & ROBT. McKARNY July 4, 1825 28—6t*

JOB PRINTING

Of every description neatly executed here

Law Notice.

JAMES O. HARRISON,

WILL practice LAW in the Fayette Courts His Office is kept above the office of the Clerk of the County Court. Lex July 15, 1825—28-f

FOR SALE.

A VERY LIKELY MULATTO NEGRO GIRL, about five years of age.

APPLY to the Printer for further information May 25, 1824. 21-3t.

SEVENTH CLASS

Grand Masonic Hall

LOTTERY;

ALL TO BE DRAWN IN ONE DAY,

Upon a New Plan & Easily Comprehended.

SCHEME.

1	Prize of	$1000	is	$1000
1	" of	500	is	500
2	" of	100	is	200
5	" of	50	is	250
20	" of	20	is	400
30	" of	10	is	300
70	" of	5	is	350
1000	" of	2	is	2000
1129 Prizes				$5000
871 Blanks.				
2000 Tickets at $2 50, is				$5000

☞129 *more Prizes than Blanks!!!*

METHOD OF DRAWING.

The numbers will be put into one wheel as usual—and in the other wheel will be put the prizes *above* the denomination of $2, to continue floating until completed, and the drawing to progress in the usual manner.

The 1000 prizes of $2 each, will be awarded to the *odd* or *even numbers* in the Lottery (as the case may be) dependent on the drawing of the capital prize of *One Thousand Dollars*. that is to say: if the 1000 dollar prize should come out an *odd* number, then *every odd number* in the Scheme will be each entitled to a 2 dollar prize.

If the 1000 dollar prize should come out to an *even* number, then *all the even numbers* in the scheme will be each entitled to a 2 dollar prize.

☞The odd numbers are those ending with 1, 3, 5, 7 or 9.

☞The even numbers are those ending with 2, 4, 6, 8 or 0.

This mode of drawing not only enables the Manager to complete the whole Lottery in ONE DRAWING, but has the great advantage of distributing the small prizes regularly to every alternate number in the scheme, so that the holder of two tickets or two shares or tickets, (one odd and one even number) will be certain of obtaining at least, one prize, and in the same ratio for any greater quantity.

Prizes will be paid in twenty days after drawing, and subject as usual to 20 per cent discount, if not demanded within four months after drawing, will be considered as donations

Two hundred dollars of the highest prize will be paid in Tickets or Certificates of tickets in 8th Class The 500 dollar prize will be paid in part by 80 tickets in present Class, from No 1, to 80 inclusive, which are already sealed up and laid aside.

Certificates of Ten Tickets each, will be sold for 17 dollars—wherein the Manager obligates himself to pay all said tickets may draw over TEN DOLLARS after deducting the discount, which gives to each purchaser ten chances of obtaining some of the Capital prizes at a risque of 17 dollars only.

In offering the above small Scheme, the Manager acts upon a certainty derived from experience, that small Classes will more speedily effect the finishing of the Grand Hall than large ones He respectfully solicits the usual patronage of the friends of the Institution and the public generally The drawing will take place in all the month of July, and earlier if sales of Tickets will justify. Tickets can be obtained of the Venders at Scheme price until the 20th inst—after which they will be advanced to THREE DOLLARS. It is therefore recommended that early purchases be made.

J. M. PIKE, Manager.

June 9, 1825.—23tf

J. M Pike's

COMPLETE PRIZE LIST

OF THE DRAWING OF THE

Sixth Class,.....New Series,

Grand Masonic Hall Lottery.

The following were the NINE NUMBERS drawn from the Wheel:

FIRST DAY.	SECOND DAY,
February 8th, 1825.	*March 14th* 1825: c
No 19 the First.	No 29 the First.
No 31 the Second.	No 21. the Second.
No 27 the Third.	No 15 the Third.

THIRD DAY.
June 14th, 1825
No 22 the First
No 32 the Second
No 17 the Third

Which enables the Manager to announce to the Public the following pleasing result:

Ticket having the combination 17, 22. 32, is entitled to 2000 Dollars, and is jointly owned by the MASTER BUILDER of the Grand Masonic Hall and JOB H PIKE, the father of the Manager.

Ticket 19, 27, 31, is entitled to 1000 Dollars, and is owned by Miss Taylor of Frankfort.

Ticket 13, 21, 29, is entitled to 500 Dollars, and is owned by Messrs Joseph S. Winter and John Chamblin, of Lexington

The 32 Tickets having on them Nos. 22. 32, each entitled to 100 Dollars, were handsomely distributed abroad, there being only four or five sold in Lexington.

The 32 Tickets having on them Nos, 19 and 31, each entitled to 50 dolls—The 32 Tickets having on them Nos 17 and 22, each entitled to 25 dolls—The Tickets having on them Nos 19, 27, or 17, 32, each entitled to 10 dolls—The Tickets having on them Nos 13 and 21—13 and 29—21 and 29, or 27 and 31, each to 5 dollars. Such Tickets as may have Nos. 13 or 19, or 21, or 27, or 29, or 31, each entitled to 2 Dollars.

All other Tickets are Blanks.

☞Prize Tickets will be paid immediately upon presentation. If not demanded before the 15th of December next, will be considered as DONATIONS, agreeably to scheme.

The above drawings were conducted under the immediate observation of Magistrates of the county, Trustees of the town, and Committee from the Grand Lodge, agreeably to law, and their respective Certificates are filed in the Manager's Office.

☞The PRIZE LIST first appeared in the Reporter a few moments after the drawing was concluded, and the following errors escaped observation until some of the papers had been worked off and sent out, to wit—"13, 11, 29, $530," should read 13, 21, 29, $530. "The Tickets having on them Nos 17 and 32, $25" should read Nos 17 and 22, $25.

June 16, 1825—24tf

I have a likely Negro Woman.

Twenty two years of age, with three male child en. for sale, or for exchange for a likely, young Negro man For further particulars, apply to the subscriber, three miles east of Lexington, on the Limestone road.

BLAVELY A. ELKINS.

July 1, 1825—26—tf

JUST PUBLISHED,

AND FOR SALE AT THIS OFFICE.

LA FAYETTE To the People.

BEING a series of numbers published in this paper, and now collected and given in pamphlet form, with a sketch of the life of the venerable Apostle of Liberty, whose signature has been assumed, by the writer of these numbers; with the reasons why that name was preferred to any other

In this small tract; the "principle that the people through their representatives, have the right to make the laws, and that public functionaries are responsible to them," is ably defended, as the foundation on which the Temple of Liberty is firmly based, and the doctrine of the irresponsibility of the Judiciary exploded.

One Cent Reward.

RANAWAY from the subscriber, living two miles north of Lexington, on Saturday last the 25 inst. an apprentice boy to the coopering business named FRANCIS RIFFLE. All persons are cautioned from harbouring or employing him, as I am determined to prosecute them to the utmost extent of the law, and any person apprehending and bringing him to me, shall receive the above reward and no thanks

DAVID WILSON.

July 1, 1825.—26-3t

Important:

ON TO-MORROW AT 4 O'CLOCK

TICKETS in 7th Class Grand Masonic Hall Lottery rise to THREE DOLLARS—until that time they can be purchased at

PIKE'S LOTTERY & EXCHANGE OFFICE

For $2 50 only. The unparalled sales this far, enables the Manager to announce the drawing positively to take place about the

20TH INSTANT.

Those who are anxious to secure some of the *valuable Prizes* at the present low price are earnestly recommended to apply immediately.

☞The Scheme announces the rise to take place on the 1st of July, but by a wrong calculation made by the Manager, in the Reporter of Monday last, (thinking the month came in on Saturday, and saying "Saturday the 1st of July,") he considers it his duty to give the public until 4 o'clock to-morrow afternoon, to make their purchases at the original price.

July 1, 1825.

PROPOSALS,

BY MOWRY & CAMERON, OF HARRISBURG, PENNSYLVANIA,

For printing by subscription, a Book to be entitled.

The First Half Century

OF THE

U. STATES,

CONTAINING THE

DECLARATION OF INDEPENDENCE,

CONSTITUTIONS,

AND

PRESIDENTIAL MESSAGES,

From 1776 to 1826.

With Six Engravings.

TO CONTAIN:

1. The Declaration of Independence. 2. Articles of Confederation. 3. General Washington's resignation of his command of the Army of the United States, Dec 23, 1783 4 Constitution of the United States. 5 Constitutions of the several states, in the usual order of enumeration, with marginal notes. 6 President Washington's Inaugural Address, and all his speeches at the openings of Congress 7: President John Adams's Inaugural Address, and all his speeches at the openings of Congress. 8 President Jefferson's Inaugural Address, and all his messages at the openings of Congress 9 President Madison's Inaugural Address, and all his messages at the openings of Congress 10. President Monroe's Inaugural Address, and all his messages at the openings of Congress 11. President John Quincy Adams's Inaugural Address, and his message at the opening of the 19th Congress. 12. Preceding each Inaugural Address, will be a handsome miniature likeness of the author, with a fac simile of his signature, and the date and place of his birth.

This collection will include all the inaugural and annual speeches and messages of all the Presidents from 1776 to 1826, which completes "The first half century of the United States." It will contain all the frames of government in force in these states, at the latter period. It will give us the faces, hand writing, style and sentiments of the successive heads of the Nation, for the first fifty years of its existence; and it will furnish us with an official summary of the national events, both foreign and domestic, so far as they have been supposed to affect the improvement, prosperity and tranquility of the country.

The compiler was led to the suggestion of this work, by the perplexity delay that he often experienced in searching for passages in the several constitutions: being obliged to wade through page after page, with irksome anxiety, unless he accidentally met with the object of his search. He has again found himself a much loss, if desirous of examining an old message of one of the late or former Presidents. They are only to be found in detached volumes, incumbered with other matter—perhaps in some musty newspaper file.

These searches have led him to reflect upon the convenience of having the whole of these papers in a single volume, unincumbered with other materials. The, thought then struck him, that it might be very satisfactory and convenient to have marginal notes, to guide the inquirer to whatever he might be in quest of—to have with these state papers, a miniature likeness of the author of each—with a specimen of the hand writing in which they were originally penned, and the date and place of the author's birth.

These thoughts occurring, he submitted the plan to some of his friends—they approved and emboldened him to lay his proposal before the public, as follows.

TERMS,

I It will be printed on a large medium paper, of excellent quality, with a new long primer type, cast specially for the purpose, and delivered to subscribers handsomely bound: at three dollars a volume.

II But for such as may choose to have the work in two volumes, it will be divided—the Constitutions in one volume, and the speeches and messages in another—or they may be subscribed for separately—the volume of Constitutions at 1 dollar 25 cents, and the other volume, containing the plates at 2 dollars 25 cents

III For every ten copies subscribed, the person procuring them shall be entitled to one copy, provided he becomes responsible for the payment of the whole.

☞It is believed the whole will make about 700 octavo pages The work will be put to press as soon as 1000 copies are subscribed for, by responsible persons.

The volumes will be about optavo size; but the engravings being all connected with the speeches, renders it abundantly more expensive to the publishers.

*** Printers through out the United States, are respectfully requested to insert the foregoing proposals, and the favor will be reciprocated when requested and such as may never want a like favor, we hope will find a sufficient inducement in the commission offered for procuring subscribers

It is desired that the names of subscribers should be returned to the publishers, by the first of August next

☞Subscriptions received at this Office.

The Unprecedented Demand.

ALREADY made for tickets in the 7th Class Grand Masonic Hall Lottery justifies the manager in say the following will

FORTHWITH BE MADE NEXT MONTH,

All in the Wrong

The novelty of the Scheme containing more prizes than Blanks, the certainty of two tickets (one odd and one even number) drawing at least one prize and POSSIBLY THREE PRIZES; the fact of all the prizes being floating from the opening of wheel until the drawing is completed, together with the unprecedented demand originating from the superior advantage which the Scheme presents, induces the manager to suggest to distant adventurers the propriety of sending their orders as soon as possible.—

On the 1st Day of July Tickets will rise to THREE DOLLARS.

J. M. PIKE, Manager.

June 16th 1825—24—tf.

The United States Literary Gazette.

THIS work has been before the public one year. During that time it has received a larger subscription than any new periodical publication within our knowledge. And the subscription is now constantly increasing. The design of the work was universally approved by those, whose practical knowledge of the state of our enlightened and "reading public," made them best qualified to judge both of its merits and of its probable success. It has succeeded. And the belief that we should "supply an existing demand," has been confirmed by its success. We shall, therefore, proceed in the execution of our design, with a firmness and confidence, which have received increased strength from assurances of support from gentlemen, whose interest in the literature of our country has long been felt and acknowledged.

The strength and variety of talents in our country were never so great, nor so deeply and fervently engaged in their favorite pursuits, as at the present time Some few gifted minds are devoted to almost every department of human knowledge with an energy and intensity, which cannot fail of results honorable to themselves and to the character of their country The talents of our country are placed under circumstances in many respects peculiar to our country. And it would be anomally in the progress of the moral and intellectual condition of man, if these peculiar circumstances should not have their effect upon our literary and scientific productions. We have not yet equalled all the fine models in the arts and sciences, which have been set before us by nations oldel and under far different circumstances. But the intellectual energies of a young and thrifty nation cannot for ever be confined to imitation. They will find a more summary course to distinction, than to yield to others the privilege of making the model and deciding alone upon the merits of their imitation.

Where all the physical, moral, and intellectual powers of a country are developing themselves with such astonishing rapidity, it would be strange indeed, if the stronger and bolder minds, should not break out into some new channels, and show forms and modifications peculiar as the circumstances by which they are influenced.

We mean to watch the efforts of native genius & talents, and reader to them the honor they deserve. But we mean not to encourage a childish national vanity. We can afford to discriminate among our productions. And while we bear decided testimony to the merits of those which are worthy, we shall never shrink from our duty to administer seasonable and salutary reproof upon those, which have nothing to recommend them but the perseverence of their authors in obtruding them upon the public.

We deem the subject of EDUCATION one of national importance. No nation can either obtain or preserve their freedom, without attention to it. The public morals—the public religion—and the public happiness depend directly and essentially upon the means and efficiency of the public instruction. We believe this is one of the spheres, where human exertion may be applied with the greatest hope of accelerating the progress of improvement worch characterizes our age. We cannot state, in few words, what we think has been done, and what remains to be done in this important department of human knowledge. But we shall discuss some of its leading principles as occasions present themselves, and shall give such intelligence upon subjects connected with it, as we think will be useful and interesting to the public The plan of our work is adapted to the state of society in which we live, and it has received the sanction and approbation of the public. We trust it will be executed in a manner to be interesting and useful to them, and at the same time honorable to our literature. These are the only conditions on which we shall deserve, and the only ground on which we expect or wish for greater encouragement.

In changing the form of our work, some other improvements have been made, which deserve notice. At the suggestion and in compliance with the wishes of many of our friends, we have printed our REVIEWS in a larger and a fairer type; and we have excluded advertisements altogether. By this arrangement there may be a small reduction in the quantity of matter, but the convenience to the reader will, we apprehend, afford an ample equivalent.

The work will be published on the first and fifteenth day of every month. Each number will contain 40 pages octavo. It will be printed with new types on paper of a very good quality, and each number stitched in a handsome cover, containing a title page and table of contents. It will be sent to distant subscribers on the day of publication, by the mail of that day, or in any other way, they may prescribe. It will be forwarded to any part of the United States to new subscribers, upon the receipt of one year's subscription $5.

Published by CUMMINGS, HILLIARD, & Co. for the Proprietors. All communications in any way relating to the United States Literary Gazette, are to be hereafter directed to JAMES G. CARTER, Boston.

April 1, 1825.

ORDNANCE DEPARTMENT,
Washington 4th June 1825.

SEALED PROPOSALS will be received by this Department until the 31st day of June next, for furnishing the following Cannon Balls, viz: Seven thousand five hundred 24 pounder Cannon Balls, to be delivered at Fort Delaware, near Newcastle, Delaware

Six thousand 24 pounder Cannon Balls, to be delivered at New Orleans.

The Balls are to be cast in iron moulds, and to be delivered on or before the first day of October 1826. They will be inspected at the manufactories, and at the expense of the United States; but they are to be delivered, at the places mentioned, at the cost and risk of the contractors.

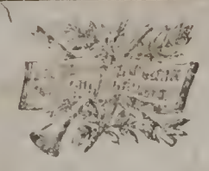
The Proposals should be made separately for each parcel, and should state the price per *pound*

Persons disposed to offer proposals will be furnished, on application, with the dimensions of the balls, and the regulations for inspecting them

GEO. BOMFORD Brevt. Col.
on Ordnance Service.

Printers of the laws of the United States are desired to publish the foregoing once a week and to transmit to this Department, with their accounts, one of the papers containing the advertisement.

June 15, 1825—24 5w



POETRY.

SELECTED.

WE ARE SEVEN.

A simple child dear brother Jim
That lightly draws its breath,
And feels its life in every limb,
What should it know of death?

I met a little cottage girl;
She was eight years old she said;
Her hair was thick with many a curl
That clustered round her head.

She had a rustic, woodland air.
And she was wildly clad;
Her eyes were fair, and very fair;
—Her beauty made me glad.

"Sisters and brothers, little maid,
How many may you be!
"How many? seven in all she said,
And wondering looked at me.

And where are they? I pray you tell"
She answered, "Seven are we;
And two of us at Conway dwell,
And two are gone to sea

Two of us in the church yard lie.
My sister and my brother
And in the church yard cottage, I
Dwell near them with my Mother."

You say that two at Conway dwell,
And two are gone to sea,
Yet ye are seven?—I pray you tell,
Sweet Maid how may this be?"

Then did the little maid reply,
"Seven boys and girls are we;
Two of us in the church yard lie
Beneath the church yard tree."

"You run about my little maid,
Your limbs they are alive:
If two are in the church yard laid,
Then ye are only five."

"Their graves are green, they may be seen"
The little maid replied,
Twelve steps or more from Mother's door,
And they are side by side.

My stocking there I often knit,
My kerchief there I hem,
And there upon the ground I sit—
I sit and sing to them.

And often after sunset, sir,
When it is light and fair,
I take my little porringer,
And eat my supper there.

The first that died was little Jane,
In bed she moaning lay,
Till God released her of her pain.
And then she went away.

So in the church-yard she was laid;
And all the summer dry,
Together round her grave we played,
My brother John and I.

And when the ground was white with snow;
And I could run and slide,
My brother John was forced to go;
And he lies by her side."

"How many are you then," said I,
"If they two are in Heaven?"
The little maiden did reply,
"O master! we are seven."

"But they are dead; those two are dead!
Their spirits are in Heaven!"
'Twas throwing words away: for still
The little maid would have her will,
And said," nay we are seven!"

STATE OF KENTUCKY.

Campbell Circuit, Sct.

APRIL TERM, 1825.

Frederick Klette, Complainant,
against
Elias P Smith and others, Defendants.
IN CHANCERY.

It appearing to the satisfaction of the court that the defendant E. P Smith is no inhabitant of this Commonwealth, and he having failed to enter his appearance herein agreeably to law and the rules of this court, on the motion of the complainant, by his counsel it is, therefore, ordered, that unless the said Defendant Elias P Smith do appear here, on or before the first day of the next July term of this court and cause the Complainant's bill, the same as to him will be taken for confessed. And it is further ordered that a copy of this order be inserted in some duly authorised newspaper published in this Commonwealth for two months successively.

A copy, teste,

JAMES TAYLOR. c. c. c. c

June 9. 1825 —23 9w

HEMP WANTED

THE highest price will be given for merchantable Hemp by J. M. Pike, or Lockeroy and McDaniel.

Lex. Sep. 23, 1824—39-tf